

RESOLUTION NO. 037-21

The Board of County Commissioners of Clermont County, Ohio, met in regular session on the 10th day of March, 2021, with the following members present:

Claire B. Corcoran, President

David L. Painter, Vice President

Bonnie J. Batchler, Member

~~Mr.~~/Mrs. Batchler moved for the adoption of the following Resolution:

**RESOLUTION DESIGNATING SETTLEMENT CONFERENCE
REPRESENTATIVE**

WHEREAS, the Board of County Commissioners is a defendant in a lawsuit pending in the United States Court District Court for the Southern District of Ohio, Western Division (the “Court”) and designated with case number 1:19-cv-453 and captioned as Jared Schwartz vs. Clermont County Sheriff’s Office, et al.; and

WHEREAS, the Court has scheduled a video settlement conference for March 16, 2021 at 12:00 p.m. to explore possibilities for settlement; and

WHEREAS, the Court has strongly encouraged a representative of the Board of County Commissioners attend/participate in the said settlement conference; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Clermont County, Ohio with at least two-thirds of its members thereto concurring as follows:

SECTION I

That as it relates to the case filed in the United States District Court, Southern District of Ohio, Western Division, Case No. 1:19-cv-453, in which the Board of County Commissioners is a defendant, the Board of County Commissioners does hereby designate Commissioner David L.

Painter as its Representative to attend/participate in the settlement conference on March 16, 2021; and

SECTION II

That the Board of County Commissioners does hereby authorize David L. Painter, as its Representative to the said settlement conference, to enter into a settlement agreement on behalf of the Board of County Commissioners, wherein United States District Court for the Southern District of Ohio, Western Division, Case No. 1:19-cv-453 is settled such that the relevant litigation will be concluded; and

SECTION III

That the Board of County Commissioners does hereby direct that David L. Painter, as the said Representative of the Board of County Commissioners at the said settlement conference, has no authority to enter into a settlement agreement with terms and conditions that exceed or are in any manner greater than the settlement terms and conditions as discussed by this Board in executive session with legal counsel; and

SECTION IV

That the Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with all applicable legal requirements including Section 121.22 of the Ohio Revised Code.

Mr./Mrs. Corcoran seconded the Resolution and on roll call, the vote resulted

as follows:

Mrs. Corcoran

Yes

Mr. Painter

Abstain

Mrs. Batchler

Yes

This Resolution was duly passed on the 10th day of March, 2021.

ATTEST:

Holly Crucey

Holly Crucey, Clerk
Clermont County Board of
Commissioners

This Resolution was prepared and approved as to form by the
Office of Prosecuting Attorney of Clermont County, Ohio

By:

G. Ernie Ramos, Jr.

G. Ernie Ramos, Jr.
Chief Assistant Prosecuting
Attorney

Date:

3-8-2021

RESOLUTION NO. Q38-21

The Board of County Commissioners of Clermont County, Ohio, met in regular session on the 10th day of March, 2021, with the following members present:

Claire B. Corcoran, President

David L. Painter, Vice President

Bonnie J. Batchler, Member

~~Mr.~~/Mrs. Batchler moved for the adoption of the following Resolution:

**RESOLUTION DESIGNATING MEDIATION CONFERENCE
REPRESENTATIVE**

WHEREAS, the Board of County Commissioners is a defendant in a lawsuit pending in the Clermont County Court of Common Pleas (the "Court") and designated with case number 2020 CVC 1011 and captioned Robert Warden, et al. vs. Clermont County Board of Commissioners, et al., which has been consolidated with Clermont County Court of Common Pleas Case No. 2019 CVC 1479, captioned as Robert Warden, et al. vs. RTJJ Properties, LLC., et al.; and

WHEREAS, the parties have agreed to participate in a private mediation on April 9, 2021 to explore possibilities for settlement; and

WHEREAS, participation/attendance by a representative of the Board of County Commissioners at the said settlement conference is necessary to explore possibilities for settlement; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Clermont County, Ohio with at least two-thirds of its members thereto concurring as follows:

SECTION I

That as it relates to the consolidated cases filed in the Clermont County Court of Common Pleas, as Case Nos. 2020 CVC 1011 and 2019 CVC 1479, the Board of County Commissioners does hereby designate Commissioner David L. Painter as its Representative to attend/participate in the mediation conference on April 9, 2021; and

SECTION II

That the Board of County Commissioners does hereby authorize David L. Painter, as its Representative to the said mediation conference, to enter into a settlement agreement on behalf of the Board of County Commissioners, wherein the consolidated cases filed in the Clermont County Court of Common Pleas, as Case Nos. 2020 CVC 1011 and 2019 CVC 1479 are settled such that the relevant litigation will be concluded; and

SECTION III

That the Board of County Commissioners does hereby direct that David L. Painter, as the said Representative of the Board of County Commissioners at the said mediation conference, has no authority to enter into a settlement agreement with terms and conditions that exceed or are in any manner greater than the settlement terms and conditions as discussed by this Board in executive session with legal counsel; and

SECTION IV

That the Board of County Commissioners hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with all applicable legal requirements including Section 121.22 of the Ohio Revised Code.

~~Mr.~~/Mrs. Corcoran seconded the Resolution and on roll call, the vote resulted as follows:

Mrs. Corcoran Yes

Mr. Painter Abstain

Mrs. Batchler Yes

This Resolution was duly passed on the 10th day of March, 2021.

ATTEST:

Holly Crucey
Holly Crucey, Clerk
Clermont County Board of
Commissioners

This Resolution was prepared and approved as to form by the
Office of Prosecuting Attorney of Clermont County, Ohio

By: G. Ernie Ramos, Jr.
G. Ernie Ramos, Jr.
Chief Assistant Prosecuting
Attorney

Date: 03/08/2021 H.C.

Moved by Mr(s). Painter, seconded by Mr(s). Batchler,

Recommendation that the Board of County Commissioners adopt Resolution Number 039-21 resolving to approve payment to vendors **in the total amount of \$844,898.98** as set forth in the BCC Approval Invoice Report(s) for **Checks Dated March 17, 2021**, BCC Directed Pre-Paid Invoices Report(s) and/or the Procurement Card Transaction Report as presented by the County Auditor on 03/15/2021, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Claire B. Corcoran,	<u>Yes</u>
David L. Painter,	<u>Yes</u>
Bonnie J. Batchler,	<u>Yes</u>

Date Adopted: March 17, 2021

<u>Claire B. Corcoran</u>
Claire B. Corcoran, President
<u>David L. Painter</u>
David L. Painter, Vice-President
<u>Bonnie J. Batchler</u>
Bonnie J. Batchler, Member

OR

Thomas J. Eigel, County Administrator